

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

#5

IN RE APPLICATION OF
MARK R. SCHROEDER

DOCKET NUMBER
0336FV.044008

SERIAL NO.: (UNKNOWN)
(DIVISION OF 09/589,386 -
NOW PATENT NO. 6,225,522)

ANTICIPATED GROUP ART
UNIT NO. 3764

EXAMINER: KIM M. LEE

TITLE: ASSEMBLY FOR DISPENSING
PACKAGED ADHESIVE-SIDED ARTICLES

PETITION TO CONVERT CONTINUED PROSECUTION APPLICATION (CPA)
TO A DIVISIONAL APPLICATION UNDER 37 CFR 1.53(b)

Office of Petitions
Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

This is a Petition to convert a continuing CPA patent application under 37 CFR 1.53(d) to a continuing divisional application under 37 CFR 1.53(b), in as much as the continuing application was inadvertently filed under the wrong provision. Specifically, Application Serial No. 09/589,386, from which Applicant is requesting a division, was pending at the time of the request with allowed claims 35 through 40. Applicant is seeking a divisional application to protect additional novel matter which was not covered by the allowed claims 35 through 40. Along with the inadvertently marked application, Applicant filed a Preliminary Amendment claiming such additional matter in new claims 41 through 78. Following the filing date of the inadvertently filed application, Application Serial No. 09/589,386 issued on May 1, 2001 as Patent No. 6,225,522. Applicant does not wish to jeopardize or abandon the issued patent or its related application, but seeks to merely insure that the

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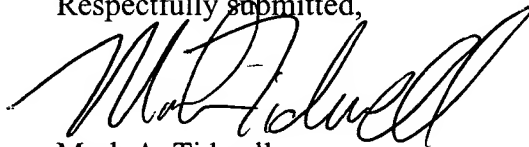
continuing application is properly divided therefrom in order to seek protection for the additional novel matter.

Applicant's attorney prepared and mailed a patent application to the Patent Office on April 23, 2001, requesting a "continuation" of Serial No. 09/589,386 under CFR 1.53(d). Upon recognizing this error, Applicant's attorney immediately prepared a proper "divisional" application under 37 CFR 1.53(b). The divisional application is enclosed herewith for filing. It is requested that the filing fee of \$710.00 that accompanied the original "CPA" application be transferred as a credit to the filing fee due in this application. If any additional filing fee is due, please charge Bracewell & Patterson, LLP Deposit Account 50-0259 (0336FV.044008)

Enclosed is a check in the amount of \$130.00 to cover the Petition fee. If the amount of this check is insufficient, please charge the deficient amount to Bracewell & Patterson, LLP, Deposit Account No. 50-0259(0336FV.044008).

It is respectfully requested that this Petition be granted, and that the enclosed divisional application be forwarded to the Office of Initial Patent Examination for processing.

Respectfully submitted,



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Attorney for Applicant

Date: May 3, 2001
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